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*Counsel to Defendants Automatic
Data Processing, Inc. and ADP, Inc.*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DALE YLITALO, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

AUTOMATIC DATA PROCESSING, INC.,
ADP, INC., and AMERICAN CENTURY
INVESTMENT SERVICES, INC.,

Defendants.

K&L GATES LLP

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*Counsel for Defendant American
Century Investment Services, Inc.*

*Admitted *Pro Hac Vice*.

**Motions for *Pro Hac Vice* admission
forthcoming.

Case No. 2:24-cv-07635-JKS-LDW

Hon. Jamel K. Semper, U.S.D.J.
Hon. Leda Dunn Wettre, U.S.M.J.

Motion Return Date: September 3, 2024

ORAL ARGUMENT REQUESTED

**NOTICE OF MOTION FOR THE EXTENSION OF TIME
TO RESPOND TO THE COMPLAINT AND TO SET A BRIEFING SCHEDULE**

TO: The Court, Clerk of Court, and All Counsel of Record

PLEASE TAKE NOTICE THAT on September 3, 2024, at 9 a.m., or at another date and time to be determined by the Court, Defendants Automatic Data Processing, Inc., ADP, Inc. and American Century Investment Services, Inc. (together, “Defendants”), by and through their undersigned counsel, shall move before the Honorable Jamel K. Semper, United States District Court, at the Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Court Room PO 03, Newark, New Jersey 07101, for an order (1) that extends the time for Defendants to answer, move, or otherwise respond to the Complaint until thirty days after a lead plaintiff and lead counsel are appointed in this action and, should the lead plaintiff file an amended complaint, setting the following schedule: (a) Defendants shall answer, move, or otherwise respond to the amended complaint on or before thirty days after the amended complaint is filed; (b) the designated lead plaintiff shall serve and file an opposition to any motion(s) to dismiss within thirty (30) days after such motion or motions are filed by Defendant(s); and (c) Defendants shall serve and file any reply in further support of any motion(s) to dismiss within twenty-one (21) days after the lead plaintiff files his or her opposition brief, and (2) for such other and further relief as the Court deems just and equitable.

PLEASE TAKE FURTHER NOTICE that, in support of their Motion, Defendants shall rely on its Brief in Support of Defendants’ Motion for the Extension of Time to Respond to Complaint and to Set a Briefing Schedule, dated August 8, 2024, the Declaration of Xochitl S. Strohbehn in Support of Defendants’ Motion for Extension of Time to Respond to Complaint and to Set Briefing Scheduled, dated August 8, 2024, and all exhibits thereto, the

Complaint and all exhibits thereto, and all other documents, papers, and submissions before this Court in this case.

PLEASE TAKE FURTHER NOTICE that also enclosed with this motion pursuant to Local Civil Rule 7.1(e) and the Court's Judicial Preferences is Defendants' proposed order extending their time to respond to the complaint.

Dated: August 8, 2024

VENABLE LLP

By: /s/ Michael A. Guerra

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*Counsel for Defendant American
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*Admitted *Pro Hac Vice*.

**Motions for *Pro Hac Vice* admission forthcoming.

LOCAL CIVIL RULE 11.2 CERTIFICATION

Defendants, by their attorneys, hereby certify that, to the best of their knowledge, understanding, and belief, the matter in controversy in this lawsuit is not the subject of any other action pending in any other court, or of any pending arbitration or administrative proceeding.

We certify under penalty of perjury that the foregoing is true and correct to the best of our knowledge and understanding. Executed on August 8, 2024.

K&L GATES LLP

By: /s/ Loly Garcia Tor
Loly Garcia Tor

VENABLE LLP

By: /s/ Michael A. Guerra
Michael A. Guerra (No. 089092013)

CERTIFICATE OF SERVICE

I certify that on this day, August 8, 2024, I served the above document, the Notice of Motion for the Extension of Time to Respond to the Complaint and to Set a Briefing Schedule, dated August 8, 2024, on all appearance counsel via ECF filing.

Dated: August 8, 2024

VENABLE LLP

/s/ Michael A. Guerra
Michael A. Guerra (No. 089092013)